

Remarks

Claims 1, 2, 6, 7, 10-35 and 37-50 have been amended. Claims 53-71 have been canceled. Claims 72-86 have been added. Claims 1-52 and 72-86 are pending in the application. Reconsideration of the rejections and objections at an early date is requested.

The specification has been amended by adding nine new paragraphs that more carefully state the elements of the claims. It is believed that these amendments to the specification do not add new matter and are supported by other references in the specification and drawings. Specifically, support for each new paragraph can be found as follows:

The first new paragraph is based on paragraphs 59, 94, 95, 105, 106, 143, 144, and 159, and Figs 1-4, 9 15 and 16.

The second new paragraph is based on paragraphs 61, 108, 109, 131 and 159, and Figs 1, 2, 10 and 16.

The third new paragraph is based on paragraphs 62, 94, 111, 112, 132, 146, 155, 158 and 159, and Figs 1, 2, 10, 15 and 16.

The fourth new paragraph is based on paragraphs 63, 96, 137, 138, 155 and 159, and Figs 1, 6, 7, 8, 10 and 16.

The fifth new paragraph is based on paragraphs 64, 94, 112, 137, 150, 154, 158 and 159, and Figs 1, 6, 10 and 16.

The sixth new paragraph is based on paragraphs 65, 137, 138 and 159, and Figs 1, 6, 10 and 16.

The seventh new paragraph is based on paragraphs 66, 94, 139, 150 and 159, 160 and Figs 1, 7, 10 and 16.

The eighth new paragraph is based on paragraphs 67, 94, 139, 150 and 159, 160 and Figs 1, 7, 10 and 16.

The ninth new paragraph is based on paragraphs 67, 94, 141, 150 and 159, and Figs 1, 8, 10, 15 and 16.

Claim 14 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claim 14 has been amended to be dependent on claim 6, which has also been amended to make clear that the user supplies a component to the payment request. Also, the limitation "user supplied identification code" in claim 14 has been changed to the component, which has its antecedent in claim 6.

Claims 11, 12, 14, 20 and 21 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite due to use of the phrases "registration of the user" and "the merchant is registered." Claim 11 now includes "registering and unregistered user", and claim 20 now included "registering the merchant". It is submitted that these amendments overcome the rejection of these claims under section 112.

Claims 49 and 50-52 were rejected under 35 U.S.C. 112, second paragraph, as having no or insufficient disclosure of the structure, material, or acts for performing the function recited in a claim limitation invoking 35 U.S.C. 112, sixth paragraph. Regarding claim 49, the structure described in page 20, in the new paragraphs added to the specification, and depicted in the figures provides ample basis for the structure and acts performed by each of the "means plus function" features. In particular, the transaction manager 12 is described as being a computer system running an operating system 242, an application system 244 and a database management system 243. Also described are an internet interface system 245 and a financial institution and/or bank interface system 246. Furthermore, the way that these systems interact and

communicate with one another is described. The application system runs a computer application that controls the operations of the transaction manager performs according to the methodology described in the preceding paragraphs of the application and as depicted in the figures. The person of ordinary skill in the art would understand the structures and functions to be able to build each of the "means plus function" components. In particular, the application system may be built by a computer programmer by following the description, flow charts and other figures in the application.

Regarding claims 50-52, claim 50 has now been amended so that it does not use the "means plus function" format for the elements of the claimed device. It is also submitted that claims 51 and 52, as dependent on claim 1, were not properly cited in this rejection. Therefore, claims 50-52 should no longer be subject to this rejection.

Claims 1-48 and 50-52 were rejected under 35 U.S.C. 101 as being non-statutory. Claim 1 has been amended to recite a transaction manager apparatus for carrying out the method. Claim 50 and other apparatus claims recite specific elements. It is respectfully submitted that all claims are now tied to a particular apparatus, and overcome this rejection.

Claims 1-4, 6-15, 18, 19, 23-25, 30, 32, 37-42, and 48-52 were rejected under 35 U.S.C. 102(a, e) as being anticipated by Foth et al. (U.S. Publication No. 2004/0103060). Furthermore, claims 16, 20-22 and 26 were rejected under 35 U.S.C. 103(a) as being unpatentable over Foth. Applicant's attorney had a telephone interview with the examiner on July 8, 2009, where it was pointed out to the examiner that Foth was filed after Applicant's priority date and that, therefore, Foth was an inappropriate reference to cite against the claims. Thus, the prior art rejections should be withdrawn.

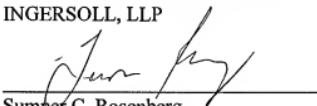
Applicant respectfully requests an allowance of the pending claims at an early date.

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A Credit Card Payment submitted via EFS-Web authorizing payment in the amount of \$175.00, representing \$110.00 for the fee for a small entity under 37 C.F.R. § 1.16(h) for one additional independent claim, and \$65.00, representing the fee for a small entity under 37 C.F.R. § 1.17(a)(1) for a one month extension of time, is also enclosed. This fee is believed to be correct, however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

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